

**DEPARTMENT OF TOXIC SUBSTANCES CONTROL**

REGION 2

700 HEINZ AVE., SUITE 200

BERKELEY, CA 94710-2737

June 24, 1992

**CERTIFIED MAIL**

Mr. Gary Schnitzer, President  
**Schnitzer Steel Products Company**  
Foot of Adeline Street  
Oakland, California 94604

EPA ID Number: **CAD 981 634 496**

Dear Mr. Schnitzer:

**REPORT OF VIOLATION**

On February 27, and May 15, 1992 the Department of Toxic Substances Control conducted an inspection of the Schnitzer Steel Products Company (SSPC) facility at the Foot of Adeline Street, Oakland, California. As a result of that inspection the following violations of the hazardous waste statutes and regulations were found:

**Violations:**

## 1. Health and Safety Code (HSC), Section 25189.5 (a):

SSPC violated HSC, Section 25189.5 (a) in that on or about February 27, 1992 SSPC disposed of hazardous waste to the soil of the facility without a permit or other authorization from the Department and/or at a point not approved for such disposal by the Department.

SSPC stored scrap metal bales on the ground and allowed hazardous waste constituents to leach from the bales into the soil. Analysis of a soil sample (number SSBSP-6A) showed the level of total lead at 1190 mg/kg and the level of soluble zinc at 350 mg/L. Both of these values are in excess of the maximum allowed under the Total Threshold Limit Concentration (TTLC) and the Soluble Threshold Limit Concentration (STLC), respectively.

SSPC disposed of hazardous waste to the soil on the cement pad surrounding the shredder unit. The soil is a hazardous waste based upon the soil sample (number SSBSP-3A) content of total lead (12,700 mg/kg), copper (31,100 mg/kg), and zinc (6,800 mg/kg) which is in excess of the TTLC for each of these metals.



2. HSC, Section 25250.5 (a):

SSPC violated HSC, Section 25250.5 (a) in that on or about February 27, 1992 SSPC disposed of used oil by depositing the oil on the land.

On February 27, 1992 it was observed that free standing liquid was on the soil of the facility in an area a few yards to the west of the engine block pad. Sludge/soil samples SSBSP-5A and 5B were collected from this area. Analysis showed the level of total petroleum hydrocarbons (TPH, which is waste oil) to be 370,000 mg/kg (37%) and the total lead in the soil/sludge at 1,080 mg/kg which is in excess of the TTLC of 1,000 mg/kg.

Samples SSBSP-1B and SSBSP-2B were collected from the mixed fluff (treated "undersized" and untreated "oversized") pile and the untreated "oversized" fluff pile respectively. Analysis of the samples showed 27,000 mg/kg TPH in SSBSP-1B and 17,000 mg/kg TPH in SSBSP-2B. This represents the waste oil in the materials when they were shredded. This waste oil (contained in the fluff) was to be disposed of at a Class II landfill.

3. HSC, Section 25201 (a) and Title 22, California Code of Regulations (Cal. Code Regs.), Section 66262.34 (a):

SSPC violated HSC, Section 25201 (a) and Cal. Code Regs., Section 66262.34 (a) in that on or about February 27, 1992 SSPC stored hazardous waste for greater than 90 days without a permit or prior authorization from the Department.

Based upon the length of time between the shipments of waste oil, as listed on the bills of lading, SSPC stored the waste oil for greater than 90 days. There were no shipments made between February 19, 1991 and July 26, 1991 and again between July 26, 1991 and November 15, 1991.

4. Title 22, Cal. Code Regs., Section 66262.34 (f):

SSPC violated Title 22, Cal. Code Regs., Section 66262.34 (f) in that on or about February 27, 1992 SSPC failed to label its waste oil collection sump with the words "Hazardous Waste" and the date the 90-day storage period began for the waste.

5. Title 22, Cal. Code Regs., Sections 66262.34 (a)(3) and 66265.16 (d):

SSPC violated Title 22, Cal. Code Regs., Sections 66262.34 (a)(3) and 66265.16 (d) in that on or about February 27, 1992 SSPC failed to maintain the following training documents and records at the facility:

- a) the job title for each position at the facility related to hazardous waste management and the name of the person filling each position,
- b) a written job description for each position listed in "a)",
- c) a written description of the type and amount of both introductory and continuing training that will be given to each person filling a position listed in "a)", and
- d) records that document that the training or job experience required under 66265.16 (a-c) has been given to and completed by facility personnel.

6. Title 22, Cal. Code Regs., Section 66265.34:

SSPC violated Title 22, Cal. Code Regs., Section 66265.34 in that on or about February 27, 1992 SSPC failed to provide immediate access to an internal communications or alarm system for personnel working at the waste oil sump for the engine block pad.

7. Title 22, Cal. Code Regs., Section 66265.52 (c, e, & f):

SSPC violated Title 22, Cal. Code Regs., Section 66265.52 (c, e, & f) in that on or about February 27, 1992 SSPC failed to include in its Contingency Plan (SSPC uses its Business Plan for this purpose) a description of the arrangements agreed to by local police departments, fire departments, hospitals, and other emergency response agencies. SSPC also failed to include a list of all emergency equipment at the facility, the location and physical description of each item on the list, and a brief outline of its capabilities. SSPC's Contingency Plan lacked an evacuation plan including alternate routes and a description of the signal that initiates the evacuation.

8. Title 22, Cal. Code Regs., Section 66265.195:

SSPC violated Title 22, Cal. Code Regs., Section 66265.195 in that on or about February 27, 1992 SSPC failed to conduct daily inspections of its hazardous waste oil sump (tank).

SSPC stated that inspections were conducted on the volume of water collected after rainstorms. No indication was given that the hazardous waste sump is inspected to insure the proper amount of freeboard is available, the aboveground portions of the sump for signs of corrosion or releases of the waste. SSPC was unable to present an inspection log documenting that these items were inspected for on a daily basis.

9. Title 22, Cal. Code Regs., Section 66262.11:

SSPC violated Title 22, Cal. Code Regs., Section 66262.11 in that on or about February 27, 1992 SSPC failed to make an accurate hazardous waste determination of its engine block and oversized fluff waste streams.

SSPC accepts scrap engine blocks, which still contain free flowing oil and/or undrained oil filters, from off-site facilities. These blocks are excluded from the definition of "scrap metal" in Title 22, Cal. Code Regs., Section 66260.10 and are viewed as a hazardous waste. Currently, SSPC does not manage these blocks as a hazardous waste.

SSPC manages its untreated oversized auto shredder fluff as a non-hazardous waste. The untreated oversized auto shredder fluff is a hazardous waste based upon the total content of lead (1,100 mg/kg) and zinc (6,250 mg/kg) and the soluble content of lead (95.2 mg/L) and zinc (638 mg/L) found in the untreated "oversized" fluff sample (number SSBSP-2A). Analysis of sample SSBSP-2A also revealed that it contained total Polychlorinated Biphenyls (PCBs) at a level of 56 mg/kg which is in excess of the TTLC (50 mg/kg).

Sample SSBSP-1A was taken of the fluff which consisted of treated undersized and untreated oversized fluff mixed together. SSPC stated that this pile was to be disposed of at a Class II landfill. Analysis of the sample revealed soluble levels of lead at 103 mg/L and soluble zinc at 714 mg/L. The levels of total lead and zinc in sample SSBSP-1A were 2,220 mg/kg and 8,200 mg/kg respectively.

Both samples SSBSP-1A and 2A show that SSPC has not made an accurate hazardous waste determination on its untreated oversized fluff.

Mr. Gary Schnitzer  
June 24, 1992  
Page 5

Upon receipt of this Report of Violation (ROV) all deficiencies noted in this ROV must be corrected and written and/or photographic documentation submitted to the Department to verify that the violations listed above have been corrected. The Department may schedule a reinspection of the SSPC facility at the Foot of Adeline Street to verify compliance.

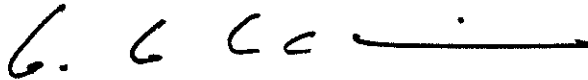
The issuance of this ROV does not preclude the Department from taking administrative, civil, or criminal action as a result of the violations noted herein.

If you have any questions regarding this report, please contact Michael Pixton at (415) 540-3862.

Sincerely,



Michael Pixton  
Hazardous Materials Specialist  
Surveillance & Enforcement Branch



Wei Wei Chui  
Unit Chief  
Surveillance & Enforcement Branch

Cert. Mail No: P 659 131 312

cc: Mr. Patrick Kuefler  
U.S. EPA, Region IX, H-4-1  
75 Hawthorne Street  
San Francisco, California 94105

Molly McGowan  
U.S. EPA, Region IX, A-4-2  
75 Hawthorne Street  
San Francisco, California 94105

Mr. Larry Matz, Chief  
Surveillance and Enforcement Branch  
Hazardous Waste Management - HQ  
Department of Toxic Substances Control  
714/744 P Street  
P.O. Box 942732  
Sacramento, California 94234-7320

Mr. Gary Schnitzer  
June 24, 1992  
Page 6

Mr. Michael Shepard, Esq.  
Toxics Legal Office  
Department of Toxic Substances Control  
714/744 P Street  
P.O. Box 942732  
Sacramento, California 94234-7320

Ms. Mary Locke  
Office of Local Enforcement  
Department of Toxic Substances Control  
714/744 P Street  
P.O. Box 942732  
Sacramento, California 94234-7320

Richard Hiatt  
California Regional Water Quality Control Board  
San Francisco Bay Region  
1111 Jackson Street  
Oakland, California 94607

Luis Matienzo  
Integrated Waste Management Board  
8800 Tal Center Drive  
Sacramento, California 95826

Edgar Howell, Program Manager  
Alameda County Department of Environmental Health  
Division of Hazardous Waste Management  
80 Swan Way, Room 200  
Oakland, California 94621